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APPLICATION NO. FILING DATE		DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
09/844,251	04/27	7/2001	Richard H. Morrison JR.	NU-541XX	8919		
207	7590	06/30/2004		EXAM	EXAMINER		
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TEN POST (OFFICE SQU. MA 02109	ARE	ART UNIT	PAPER NUMBER			
				2812			
			DATE MAILED: 06/30/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Carminer				Applicati n N .		Applicant(s)				
Peri d for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ½ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ½ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. If the period for reply specified above is less than thiny (30) days, a reply than the statutory minimum of thiny, (20) days, will be considered direally. If the period for reply specified shows is less than thiny (30) days, a reply which he statutory minimum of thiny, (20) days, will be considered direally. If the period for reply specified shows is less than thiny (30) days, a reply with the statutory minimum of thiny, (20) days, will be considered direally. If the period for reply specified shows is the statutory period will appear and we except \$10, MAINTHS inches the saling date of his communication. If the period for reply specified shows the maintime statutory period will appear and we except \$10, MAINTHS inches the saling date of his communication, even if timely filed, may reduce any sented optical time algustrants. See 37 CFR 1,70(c). Status 1) Responsive to communication(s) filed on		Offic	Action Summary		09/844,25	i1	MORRISON ET AL.			
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THE MAILING DATE OF THIS COMMUNICATION. Extensions of the may be available under the provisions of 3 CFR 1.13(6). In no event, however, may a righty be timely filed after \$X, (6) MONTRS from the mailing date of this communication. It No period for righty is pecified above, the mailine will be considered fromly. If No period for righty is pecified above, the mailine wastery epider will be actualizely minimum of this, (20) days will be considered fromly. If No period for righty is pecified above, the mailine wastery epider will be papel valued to provide the mailing date of this communication. Fallure to right within the set or extended principle will be papel valued to become ABANCONED (33 U.S. C. § 133). Any repty received by the Official erit than three months after the mailing date of this communication, even if strately fred, may reduce any example place to the communication of the communication of the provision of the			ING DATE of this c mmun	icati nappo	ears on the	cover sheet with the c	corresp ndence ac	ddress		
1) Responsive to communication(s) filed on	THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any									
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3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152)				TO 040						
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This application contains claims directed to the following patentably distinct species of the claimed invention: A first species: fluid of wet chemicals (e.g. acids, bases etc.). A second species: fluid of dry etching (plasma) materials (e.g. oxygen, carbon, etc.).

Applicant is required under 35 U.S.C. § 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, none are generic.

Applicant is advised that a response to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. § 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. M.P.E.P. § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. § 103 of the other invention.

Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 C.F.R. § 1.48(b) if

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one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a diligently-filed petition under 37 C.F.R. § 1.48(b) and by the fee required under 37 C.F.R. § 1.17(h).

Any inquiry of a general nature or clerical matters or relating to the status of this application or proceeding should be directed to the customer service whose telephone number is (703) 308-4357.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to H. Jey Tsai whose telephone number is (571) 272-1684. The examiner can normally be reached on from 7:00 Am to 4:00 Pm., Monday thru Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Niebling can be reached on (571) 272-1679.

The fax phone number for this Group is (703) 872-9306.

hjt

6/23/04

H. Jey Tsai Primary Examiner

Patent Examining Group 2800